

REMARKS/ARGUMENTS

Claims 1, 3-17, 19-33, and 35-48 are pending in the present application. Claims 2, 18, and 34 are canceled; and claims 1, 3-5, 8, 17, 19-21, 24, 33, and 35-48 are amended. Claims 1, 17, and 33 are amended to include the content of claims 2, 18, and 34, respectively, and to clarify the claims. Support for the amendments to claims 1, 17, and 33 is located at least on page 18, line 12, through page 19, line 20; and on Figures 8A and 8B. Claims 3-5, 19-21, 35-37, and 47 are amended to change their dependency to claims 1, 17, and 33, respectively. Claims 8, 24, and 40 are amended to clarify that a first offer uses a single auction, a second offer uses a priced auction, and a third offer uses an interactive auction and that each of the three offers is simultaneously displayed using a single screen image. Claims 33 and 38-48 are amended to replace the phrase "instruction means" with "instructions." Claim 46 is amended to correct its dependency to claim 45. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 112, Second Paragraph

The Office Action rejects claims 33-48 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicants regard as the invention. This rejection is respectfully traversed.

The Office Action states:

The claims are indefinite because the instruction should recite instructions for performing or executing the steps rather than the steps themselves.

Office Action dated April 7, 2006, page 2.

Claims 33 and 38-48 are amended to replace the phrase "instruction means" with "instructions." Therefore, the rejection of claims 33-48 under 35 U.S.C. § 112, second paragraph has been overcome.

II. 35 U.S.C. § 102, Alleged Anticipation Based on Packaged

The Office Action rejects claims 1, 13, 17, 29, 33, and 45 under 35 U.S.C. § 102(b) as being anticipated by the article "Packaged Apps Give Auctioneers Rich New Options" (*Packaged*). This rejection is respectfully traversed.

With respect to independent claims 1, 17, and 33, the Office Action states:

Regarding claims 1, 17, and 33, Packaged discloses a method, system and computer-readable medium for permitting simultaneous submissions of bids on multiple different items using a single screen image, comprising: simultaneously displaying, at a computer network, using a single screen image, a plurality of different items offered for auction; permitting entry of a different bid for each of a plurality of said plurality of different items using said single screen image; and simultaneously submitting, over said

computer network, each said different bid for each of said plurality of said plurality of different items from said single screen image (paragraph 9; paragraph 6).

Office Action dated April 7, 2006, page 3.

As amended, claim 1, which is representative of the other rejected independent claims 17 and 33 with regard to similarly recited subject matter, reads as follows:

1. A method in an electronic auction for permitting simultaneous submission of bids on multiple different items using a single screen image, said method comprising the steps of:
simultaneously displaying, at a computer network, using said single screen image, a plurality of different items offered for auction, wherein said plurality of different items is offered for auction using different ones of a plurality of auction types, and wherein at least two different ones of said plurality of auction types are utilized when simultaneously displaying said plurality of different items using said single screen image;
permitting entry of a different bid for each of a plurality of said plurality of different items using said single screen image; and
simultaneously submitting, over said computer network, each said different bid for each of said plurality of said plurality of different items from said single screen image. (emphasis added)

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). Applicants respectfully submit that *Packaged* does not identically show every element of the claimed invention arranged as they are in the claims. Specifically, *Packaged* does not teach or suggest "simultaneously displaying, at a computer network, using said single screen image, a plurality of different items offered for auction, wherein said plurality of different items is offered for auction using different ones of a plurality of auction types, and wherein at least two different ones of said plurality of auction types are utilized when simultaneously displaying said plurality of different items using said single screen image," as recited in amended claims 1, 17, and 33.

Packaged is directed to a Web page document discussing two vendors of Internet auction server applications. In the rejection of independent claims 1, 17, and 33, the Office Action further refers to the following portions of *Packaged*:

This week, OpenSite will release version 3.0 of its namesake software, specifically geared toward large enterprises. OpenSite previously used a proprietary database to manage auctions, products and inventory, but the new version will support Oracle and other database applications.

Packaged, paragraph 6.

Beyond databases, OpenSite and LiveExchange each sport significant technical tweaks. OpenSite enables bidders to place multiple bids for multiple items from a single page. LiveExchange features a Java client for real-time updates of bid prices. Proxy bidding allows for automatically upping the ante to a specific limit when a bid has been topped, Perlman said.

Packaged, paragraph 9.

These portions of *Packaged* disclose that OpenSite enables bidders to place multiple bids for multiple items from a single page. *Packaged* does not teach or suggest "simultaneously displaying, at a computer network, using said single screen image, a plurality of different items offered for auction, wherein said plurality of different items is offered for auction using different ones of a plurality of auction types, and wherein at least two different ones of said plurality of auction types are utilized when simultaneously displaying said plurality of different items using said single screen image," as recited in claims 1, 17, and 33.

In view of the above, Applicants respectfully submit that *Packaged* does not teach each and every feature of independent claims 1, 17, and 33, as is required under 35 U.S.C. § 102(b). In addition, *Packaged* does not teach each and every feature of dependent claims 13, 29, and 45 at least by virtue of their dependency on claims 1, 17, and 33, respectively. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1, 13, 17, 29, 33, and 45 under 35 U.S.C. § 102(b).

III. 35 U.S.C. § 103, Alleged Obviousness Based on Opensite and Packaged

The Office Action rejects claims 1-3, 9-19, 25-35, and 41-48 under 35 U.S.C. § 103(a) as being unpatentable over the website www.opensite.com (*Opensite*) in view of the article "Packaged Apps Give Auctioneers Rich New Options" (*Packaged*). This rejection is respectfully traversed.

With respect to independent claims 1, 17, and 33, the Office Action states:

Regarding claims 1-3, 9, 13-19, 25, 29-35, 41, and 45-48, the website Opensite discloses a method in an electronic auction for permitting simultaneous submission of bids on multiple different items (page 45): simultaneously displaying, at a computer network, using a single screen image, plurality of different items offered for auction (AuctionWatch Screen, page 45; Screen, page 53); permitting entry of a different bid for each of a plurality of said plurality of different items (Multibid page 45); and simultaneously submitting, over said computer network, each said different bid for each of said plurality of said plurality of different items from said single screen image (AuctionWatch, page 45). Opensite discloses using ones of a plurality of auction types (page 46, pages 54-55) (claims 2, 18 and 34); interactive auction (eAuctioneer, page 46; Bidder's Interface with eAuctioneer, pages 53-54) (claims 3, 19, and 35). Opensite further discloses: receiving said different bid submitted for each of said plurality of said plurality different items (AuctionWatch Screen, page 45; Screen, page 53; MultiBid page 45); and simultaneously displaying a confirmation of said different bid submitted for each

of said plurality of said plurality of different items using a second single screen image (Bidder's Interface with eAuctioneer, pages 53-54 58) (claims 9, 25, and 41); the step of permitting entry of a proxy (AutoBid, page 55) (claims 13, 29, and 45); the step of simultaneously submitting said bid for each of said plurality of said plurality of different items (MultiBid page 45) and said proxy for at least one of said plurality of said plurality of different items (AutoBid, page 55) (claims 14, 20, and 46); the step of simultaneously displaying a plurality of different offerings offered for auction, wherein an offering includes one or more items (Screen, page 53, Item counts, page 54) (claims 15, 31, and 47); and selecting a plurality of said plurality of different offerings to displays to a particular user, and simultaneously displaying, only the selected plurality of said plurality of different offerings (claims 16, 32, and 48) (AuctionWatch Screen, page 45; Screen, page 53; AutoWatch page 55).

However, Opensite does not explicitly disclose the permitting entry of different bid using a single screen image. Opensite does disclose allowing bidders to bid on multiple items at one and the bidder can bid on many different items at the same time (MultiBid, page 45).

The article Packaged, on the other hand, teaches the permitting entry of different bid using a single screen image (paragraph 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method, system, computer-readable medium of Opensite, to include the permitting entry of different bid using a single screen image, as taught by the article Packaged, in order to provide convenience and ease to the bidder when bidding.

Office Action dated April 7, 2006, pages 4-6.

The Examiner bears the burden of establishing a *prima facie* case of obviousness based on the prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). For an invention to be *prima facie* obvious, the prior art must teach or suggest all claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

As discussed above, *Packaged* does not teach or suggest the features as recited in amended independent claims 1, 17, and 33. In addition, *Opensite* does not provide for the deficiencies of *Packaged* with regard to independent claims 1, 17 and 33. Specifically, *Opensite* does not teach or suggest "simultaneously displaying, at a computer network, using said single screen image, a plurality of different items offered for auction, wherein said plurality of different items is offered for auction using different ones of a plurality of auction types, and wherein at least two different ones of said plurality of auction types are utilized when simultaneously displaying said plurality of different items using said single screen image," as recited in amended claims 1, 17, and 33.

In the rejection of independent claims 1, 17, and 33, the Office Action refers to the following portions of *Opensite*:

AuctionWatch™
 AuctionWatch: maryjanebidder
 Customer ID#: 101009

Below is a list of your activity in this auction for the time period you specified.

Item	Current Bid	My Bid	My Bid Type	Start Date	End Date	Start Time	End Time
You want (\$2,500)	\$2,500	1	Automatic Bid	12/29/1998	12/31/98	1:45PM	5:00PM
Inquiry (\$2,000)	-	-	Automatic Bid	-	-	-	-
Outbid (\$100)	\$50	1	Automatic Bid	12/28/1998	12/31/98	3:00PM	5:00PM
Leaving (\$300)	\$250	1	Automatic Bid	12/29/1998	12/31/98	3:00PM	5:00PM

AuctionWatch™

Bidders can not only quickly and easily look up everything they have bids on, but they can also make bids from this "personal" bid page. Only the items they select will appear on their AuctionWatch.

Opensite, AuctionWatch Screen, page 45.

eAuctioneer™

eAuctioneer notifies bidders whenever their AutoBid has been invoked by OpenSite Auction in order to increase their bid. Other enhancements to the eAuctioneer include the ability to send reports daily or at the close of an auction only.

DBMS Support (Corporate Version Only)

DBMS (Database Management Support) for database applications like Oracle. This will allow for even more back-end flexibility and easier integration of OpenSite Auction with currently existing corporate structures.

Web-Based Installation Wizards

Give administrators a quick and easy method for installing and configuring OpenSite Auction. Administrators will be able to quickly change and modify a variety of parameters such as eAuctioneer settings, template settings, bid logic settings, etc.

Multiple Bidding Logics

OpenSite Auction offers the Administrator 4 different sets of winning bid rules to choose from. Since what might be appropriate for one industry may not be appropriate for another, OpenSite doesn't make that decision for the auctioneer. Instead, the auctioneer has the flexibility to set their own rules.

Parcel Bidding

Have a group of items that you'd like to sell altogether as a parcel? But you would also be willing to sell the items individually? Now you can take bids on individual items as well as the complete parcel. No other auction site on the market boasts this great feature.

Layout and Design Templates

OpenSite Auction Version 3.0 now offers over 100 templates which can be modified to customize the look and feel of your site, as well as how it functions. And if that isn't enough, now you can create your very own templates using whatever variables you like. More intuitive variable names make it even easier to make your auction vision a reality.

Cybercash Integration (Corporate Version Only)

Accept payment after an auction has closed through Cybercash's online payment processing system.

Reserve Bids

Notify your bidders the moment the reserve bid has been met so that bidding continues. eAuctioneer can mail bidders who have placed a bid below the reserve price, and also change the notice on the item page to let bidders know that the reserve price has been met.

Improved Invoicing

Allows administrators to assign different invoicing formulas to different types of customers.

Categorization

Ability to separate large categories of items into multiple web pages with X amount of items per page.

Opensite, page 46.

These portions of *Opensite* disclose features of the OpenSite Internet auction server application. *Opensite* discloses multiple bidding logics, which provide the rules for bidding, reserve bids, and parcel bidding. Reserve bids are used in an interactive auction. Parcel bids could be used in a single auction, a priced auction, or an interactive auction. These features do not teach or suggest "simultaneously displaying, at a computer network, using said single screen image, a plurality of different items offered for auction, wherein said plurality of different items is offered for auction using different ones of a plurality of auction types, and wherein at least two different ones of said plurality of auction types are utilized when simultaneously displaying said plurality of different items using said single screen image," as recited in amended claims 1, 17, and 33.

In the rejection of independent claims 1, 17, and 33, the Office Action further refers to the following portions of *Opensite*:

Click the item number next to an item of interest to obtain detail about that item and/or place a bid.

ITEM	DESCRIPTION	PRICE	NAME	STATUS
501001	Ball-Balanced Pentium Pro 333 MHz MMX	\$1,000	Alce	\$0,300
501002	HP Pavilion Pentium 333MHz MMX	\$1,200	Sam	\$1,500
501003	HP Pavilion Pentium 300MHz MMX	\$1,000	Henry	\$1,200
501004	Pentium II 366MHz with MMX Technology	\$2,000	Rudy	\$2,500
501005	Pentium 200MHz with MMX Technology	\$300	Eric	\$000
501006	AMD K5 233MHz with MMX Technology	\$1,000	Chris	\$1,100
501007	Pentium 233MHz with MMX Technology	\$1,000	Hannah	\$1,100
501008	Pentium II 233MHz with MMX Technology	\$1,000	Isabel	\$1,400
501009	Pentium II 266MHz with MMX Technology	\$2,000	Karin	\$2,200

Opensite, Screen, page 53.

This screen allows a user to view and select their items of interest for bidding. This is not the screen that allows a user to bid on multiple items. The previous screen (AuctionWatch Screen, page 45) allows a user to bid on multiple items.

In the rejection of independent claims 1, 17, and 33, the Office Action further refers to the following portions of *Opensite*:

Bidder's Interface with eAuctioneer™

Bidders can register and place bids in real time. OpenSite Auction's interactive eAuctioneer™ notifies users if they have been outbid and encourages them to return to the site to place another bid. The eAuctioneer™ also sends out automatic invoices and winner's notices after an auction has closed. The Bidder's interface is designed to provide optimal participation and ease of use for your auction site.

Layout and Design Templates

A flexible set of templates are provided to make it easy for you to define how your auction site looks and feels. These predefined templates utilize information stored in the auction database so that your site always reflects the latest and greatest information whether it be for product specifications or product bidding activity.

OpenSite Auction Version 3.0 now offers over 100 templates which can be modified to customize the look and feel of your site, as well as how it functions. And if that isn't

enough, now you can create your very own templates using whatever variables you like. More intuitive variable names make it even easier to make your auction vision a reality.

Comprehensive, Enjoyable Bidder's Experience

OpenSite Auction bidders enjoy a secure and easy to use auction environment

Real Time and Interactive

All auctions are live and interactive. Bidders place bids in real time and compete with other bidders around the world on the Internet.

Bidder authentication

All bidders are authenticated before placing bids.

Current bid information

The latest bids are displayed at all times so bidders know where they stand in the bidding. The next acceptable bid is automatically calculated for bidders.

eAuctioneer™

eAuctioneer notifies bidders whenever their AutoBid has been invoked by OpenSite Auction in order to increase their bid. Other enhancements to the eAuctioneer include the ability to send reports daily or at the close of an auction only.

SSL Security

OpenSite Auction can easily be made secure through the use of a digital certificate from an issuing authority such as Verisign or Thawte.

Winner's board

Winner's board displays all the winners from recent auctions. Bidders may visit these pages to see who won particular items. Winners and runner-ups are also displayed on individual items during the course of the auction.

Contact and Help & Info pages provided

Using information you provide, web pages are automatically created with standard contact information and standard help information.

Registration Page

Registration page collects all pertinent information including credit card numbers and billing information. This information is stored in the customer database for future bidding and validation so your customers only have to register once.

Item Counts

Counters show how many items are in each individual category so bidders can see number of items before clicking on a link.

Automatic Password Retrieval

If a registered user has forgotten their id number or password, it can be automatically emailed to them.

Account Status

Bidders can now check their account status online modifying their data or looking up invoices. This not only enhances bidder interaction on the site, but makes less work for the auction administrator.

Server Clock

Bidders can view current server time.

AutoBid™

Allows bidders to place blanket bids (their highest acceptable bid) so that OpenSite Auction can bid on their behalf even when they are not on the site.

AuctionWatch™

Bidders can not only quickly and easily look up everything they have bids on, but

they can also make bids from this "personal" bid page. Only the items they select will appear on their AuctionWatch.

MultBid

Ever feel like you want to bid on ten different items at the same time? But who wants to go to ten different item bid forms to place bids? OpenSite Auction now allows bidders to view every item conveniently listed by category, and bid on multiple items at once. One easy entry of ID and password, and the bidder can bid on many different items at the same time.

Bidder Passport

Bidders need only enter their information once on the auction site. A handy cookie stores their identification information, making bidding even easier and quicker.

Powerful and Flexible Database Architecture

Database architecture designed for speed and accessibility with easy to use administrative functions.

User defined fields

Allows you to utilize user defined fields to create item specifications and descriptions tailored to your specific needs.

Database Administration & Modification

Modify customer and item information in real time, online directly through your web browser.

Shortcut files for speed

Index files are automatically created so that your auction runs smoothly at optimal speeds, even with hundreds of bidders bidding at once.

Log files for added safety

Log files continuously created to track database activity. In the event of database corruption, these log files allow for quick and easy recovery of data.

Database Archiving

Database files can be archived to cut down on web server space used.

Activate/Inactivate Users

The administrator can selectively activate or inactivate accounts with one click.

Delete Erroneous Bids

Enables customer bids to be deleted if necessary.

Item Images

Ability to display thumbnail and full size images of items on category and item pages.

Opensite, pages 54-55.

These portions of *Opensite* do not teach or suggest "simultaneously displaying, at a computer network, using said single screen image, a plurality of different items offered for auction, wherein said plurality of different items is offered for auction using different ones of a plurality of auction types, and wherein at least two different ones of said plurality of auction types are utilized when simultaneously displaying said plurality of different items using said single screen image," as recited in amended claims 1, 17, and 33.

Thus, any alleged combination of *Opensite* and *Packaged* still would not result in the invention recited in claims 1, 17 and 33. Therefore, *Opensite* and *Packaged*, taken individually or in combination, do not teach or suggest the features of dependent claims 3, 9-16, 19, 25-32, 35, and 41-48 at least by virtue of their dependency on independent claims 1, 17, and 33, respectively. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1-3, 9-19, 25-35, and 41-48 under 35 U.S.C. § 103(a).

Furthermore, *Opensite* does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. *Opensite* actually teaches away from the presently claimed invention because it teaches a separate module for fix priced auctions (see *Opensite*, page 59) opposed to simultaneously displaying offers using different auction types utilizing a single screen image as in the presently claimed invention. Absent the examiner pointing out some teaching or incentive to implement *Opensite* and simultaneously displaying offers using different auction types utilizing a single screen image, one of ordinary skill in the art would not be led to modify *Opensite* to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify *Opensite* in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

IV. 35 U.S.C. § 103, Alleged Obviousness Based on Opensite, Packaged, and Huberman

The Office Action rejects claims 4, 7, 20, 23, 36, and 39 under 35 U.S.C. § 103(a) as being unpatentable over the website www.opensite.com (*Opensite*) in view of the article "Packaged Apps Give Auctioneers Rich New Options" (*Packaged*), as applied to claim 1 above, and further in view of U.S. Patent Number 5,826,244 to *Huberman*. This rejection is respectfully traversed.

As discussed above, *Opensite* and *Packaged* do not teach or suggest the features as recited in amended independent claims 1, 17, and 33. In addition, *Huberman* does not provide for the deficiencies of *Opensite* and *Packaged* with regard to independent claims 1, 17, and 33. *Huberman* is directed to a system and method to enable and facilitate networked, automated, brokered auctioning of document services. *Huberman* is cited for disclosing a sealed-bid second-price auction, in which no bidder knows the value of any bid other than its own. *Huberman* does not teach or suggest "simultaneously displaying, at a computer network, using said single screen image, a plurality of different items offered for auction, wherein said plurality of different items is offered for auction using different ones of a plurality of auction types, and wherein at least two different ones of said plurality of auction types are utilized when simultaneously displaying said plurality of different items using said single screen image," as recited in claims 1, 17, and 33. Thus, any alleged combination of *Huberman* with *Opensite* and *Packaged* still

would not result in the invention recited in claims 1, 17, and 33. Therefore, *Opensite*, *Packaged*, and *Huberman*, taken individually or in combination, do not teach or suggest the features of dependent claims 4, 7, 20, 23, 36, and 39 at least by virtue of their dependency on independent claims 1, 17, and 33, respectively. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 4, 7, 20, 23, 36, and 39 under 35 U.S.C. § 103(a).

V. 35 U.S.C. § 103, Alleged Obviousness Based on Opensite, Packaged, and Woolston

The Office Action rejects claims 5, 21, and 37 under 35 U.S.C. § 103(a) as being unpatentable over the website www.opensite.com (*Opensite*) in view of the article "Packaged Apps Give Auctioneers Rich New Options" (*Packaged*), as applied to claim 1 above, and further in view of U.S. Patent Number 5,845,265 to *Woolston*. This rejection is respectfully traversed.

As discussed above, *Opensite* and *Packaged* do not teach or suggest the features as recited in amended independent claims 1, 17, and 33. In addition, *Woolston* does not provide for the deficiencies of *Opensite* and *Packaged* with regard to independent claims 1, 17, and 33. *Woolston* is directed to a method and apparatus for creating a computerized market for used and collectible goods. *Woolston* is cited for disclosing posting "buy at" and "sell at" quantities and prices. *Woolston* does not teach or suggest "simultaneously displaying, at a computer network, using said single screen image, a plurality of different items offered for auction, wherein said plurality of different items is offered for auction using different ones of a plurality of auction types, and wherein at least two different ones of said plurality of auction types are utilized when simultaneously displaying said plurality of different items using said single screen image," as recited in claims 1, 17, and 33. Thus, any alleged combination of *Woolston* with *Opensite* and *Packaged* still would not result in the invention recited in claims 1, 17, and 33. Therefore, *Opensite*, *Packaged*, and *Woolston*, taken individually or in combination, do not teach or suggest the features of dependent claims 5, 21, and 37 at least by virtue of their dependency on independent claims 1, 17, and 33, respectively. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 5, 21, and 37 under 35 U.S.C. § 103(a).

VI. 35 U.S.C. § 103, Alleged Obviousness Based on Opensite, Packaged, Huberman, and Woolston

The Office Action rejects claims 6, 8, 22, 24, 38, and 40 under 35 U.S.C. § 103(a) as being unpatentable over the website www.opensite.com (*Opensite*) in view of the article "Packaged Apps Give Auctioneers Rich New Options" (*Packaged*), as applied to claim 1 above, and further in view of U.S. Patent Number 5,826,244 to *Huberman* and U.S. Patent Number 5,845,265 to *Woolston*. This rejection is respectfully traversed.

As discussed above, *Opensite*, *Packaged*, *Huberman*, and *Woolston* do not teach or suggest the features as recited in amended independent claims 1, 17, and 33. Thus, any alleged combination of *Opensite*, *Packaged*, *Huberman*, and *Woolston* still would not result in the invention recited in claims 1, 17, and 33. Therefore, *Opensite*, *Packaged*, *Huberman*, and *Woolston*, taken individually or in combination, do not teach or suggest the features of dependent claims 6, 8, 22, 24, 38, and 40 at least by virtue of their dependency on independent claims 1, 17, and 33, respectively. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 6, 8, 22, 24, 38, and 40 under 35 U.S.C. § 103(a).

The Examiner bears the burden of establishing a *prima facie* case of obviousness based on the prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). For an invention to be *prima facie* obvious, the prior art must teach or suggest all claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

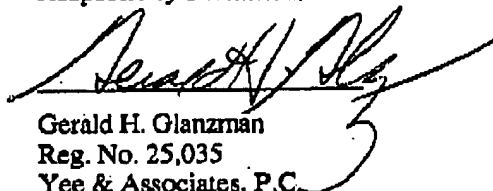
Claims 6, 8, 22, 24, 38, and 40 claim other additional combinations of features not suggested by the references. *Opensite* and *Packaged* are cited for disclosing multiple bidding logics, which provide the rules for bidding, and for disclosing reserve bids and parcel bids. Reserve bids are used in an interactive auction. Parcel bids could be used in a single auction, a priced auction, or an interactive auction. *Huberman* is cited for allegedly disclosing a priced auction. *Woolston* is cited for allegedly disclosing a single auction. *Opensite*, *Packaged*, *Huberman*, and *Woolston* do not teach or suggest offering or displaying items for auction, wherein a first set of the items are offered/displayed using a single auction, a second set of items are offered/displayed using a priced auction, and a third set of items is offered/displayed using an interactive auction. *Opensite*, *Packaged*, *Huberman*, and *Woolston*, taken individually or in combination, do not teach or suggest that "each said offer of said first, second, and third ones of said plurality of different items are simultaneously displayed utilizing said single screen image," as recited in claims 8, 24, and 40. In claims 8, 24, and 40, each of these three sets of different items using different auction types is simultaneously displayed using the same single screen image.

VII. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: July 6, 2006

Respectfully submitted,



Gerald H. Glanzman
Reg. No. 25,035
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicants

GHG/vja